IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWELFTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE BILAL NAZKI

and
THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION NO : 24366 of 1997

Between:

A. Sravan Kumar Reddy, S/o. A. Govinda Reddy

R/o. Nagole, R.R. District

..... PETITIONER

AND

The Regional Transport Officer, Ranga Reddy District.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ of Mandamus or any other appropriate writ, order or direction, declaring the Demand Notice R.No.21221/A1/95 dated 09.02.1996 issued by the Respondent herein is illegal and arbitrary.

Counsel for the Petitioner: MR.NOUSHAD ALI

Counsel for the Respondent: GP FOR TRANSPORT

The Court made the following

ORDER (per the Hon'ble Sri Justice Bilal Nazki):

We have heard the learned counsel for the parties.

The petitioner's case is that he holds a stage carriage permission on the route ZTS to Jagdevpur. The said route is a fair-weather route. While granting the permit, the length of the route was reported to be 61 K.Ms, out of which a distance of 31 K.Ms was classified as Class 'A' route, a distance of 5 K.Ms was classified as class 'B' route, and a distance of 25 K.Ms was found to be Class-'C' route (Cart track or no road portion). It is submitted that as a matter of fact, the length of the route from ZTS stage to Jagdevpur is only 53 K.Ms. and the length of the original route from Lallaguda Railway Bridge to Jagdevpur was 61 K.Ms, that was the route initially granted to the petitioner.

Counter is not filed. But it appears from the submissions of the counsel for the parties that the main dispute relates to the length of the route and before taking the length to be 61 K.Ms, no show cause notice was given to the petitioner.

In these circumstances, it appears that even the respondent is not clear about the length of the road, therefore we dispose of the writ petition and direct the respondent to get the route measured by an expert and the petitioner shall also be associated with the measurement of the road and consequential orders be passed thereafter in accordance with law. No order as to costs.

_____

Bilal Nazki, J

_____

S.Ananda Reddy, J

Date: 12.10.2004

va/vrn

To

1. The Regional Transport Officer, Ranga Reddy District.

2. Two CCs to G.P. for Transport, High Court of A.P. Buildings, Hyderabad (OUT)

3. Two CD Copies